

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-28 are pending in this application. Claims 1, 20-22, and 25-28 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 22.

Objection to the Specification

The Examiner has objected to the specification because the specification lacks an explicit “Field of Invention” section. At the outset, the Applicant respectfully notes that the “Field of Invention” section is not required pursuant to 37 C.F.R. §§1.171-1.179. Further, the Applicant notes that while MPEP §608.01(c) states that the “Background of Invention” section *ordinarily* includes a “Field of Invention”, there is no indication that the field of invention is *required*.

To the extent that the “Field of Invention” section is required, there is no indication in the MPEP that a *separate* “Field of Invention” section within the “Background of Invention” section is required. To this end, the Applicant respectfully asserts that the content corresponding to the “Field of Invention” is present in the “Background of Invention” section. Accordingly, withdrawal of this objection is respectfully requested.

Rejection(s) under 35 U.S.C § 102

Claims 1-7, 11, and 16-28 are rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 5,949,999 (hereafter “Song”). The rejection is respectfully traversed.

For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.

At the outset the Applicant respectfully asserts that Song is directed to a “Software Testing And Requirements-Tracking” tool which validates safety critical software products by controlling and tracking relationships of documents used for testing, design, and reengineering. Further, Song discusses an Integrated Document Browsing model that provides a new mechanism for browsing software requirements and design and testing documents (*See* Song, col. 2, l. 62 – col. 3, l.10). Thus, Song is clearly directed towards a software development tool that includes functionality to browse software requirements documentation, etc. In contrast, the present invention as recited in the claims is directed to a method for *generating* a software development tool as opposed to using a software development tool as discussed in Song. In view of the above, Song does not appear to teach any aspects of the invention recited in the claims.

However, to the extent that the teachings of Song may be even tangentially directed to the present invention as recited in independent claim 1, the following discussion details the specific aspects of present invention as recited in independent claim 1 that are not taught by Song:

- (i) Song fails to teach a definition file as recited in independent claim 1. In particular, the Examiner has attempted to equate the procedure definition to the definition file. As described in Song, the procedure definition corresponds to the software development procedure (*See* Song, col. 1, ll. 47-48). In contrast, the definition file references all the files that are required to create the software development tool (*See* Instant Specification, paragraph [0023]). Thus, the procedure definition is clearly not equivalent to the definition file.

- (ii) Song fails to teach a schema as recited in independent claim 1. In particular, the Examiner has attempted to equate an interface that allows the user to select phase, activity, system components, etc. (*See* Song, col. 1, ll. 48-50) with the schema. As described in the specification, the schema describes the input that the software development tool collects to generate the entity (*i.e.*, output of the software development tool) (*See* Instant Specification [0024]). Thus, an interface that allows the user to selected phase, etc. is clearly not equivalent to the schema.
- (iii) Song fails to teach a resource file as recited in independent claim 1. In particular, the Examiner has attempted to equate the browser interpreter with the resource file. As described in Song, the browser interpreter *interprets* selections of the user (made via the interface) (*See* Song, col. 4, l. 66 – col. 5, l. 42). In contrast, the resource file *defines* how the data, input by the user, is to be processed to produce the desired output (*See* Instant Specification, paragraph [0030]). Thus, the resource file defines how to interpret a given input (*i.e.*, what to do when a given input is received) while the browser interpreter merely performs the function when a given input is received.

In view of the above, Song does not support the rejection with respect to independent claim 1. Independent claims 22 and 25-28 include at least the same limitations as independent claim 1. Thus, Song also does not support the rejection with respect to independent claims 22 and 25-28. In addition, Song does not support the rejection with respect to the dependent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 103

Claims 1-8 and 12-15 stand rejected as obvious under 35 U.S.C. § 103 over Song in view of U.S. Patent No. 6,721,747 (hereafter “Lipkin”). The rejection is respectfully

traversed. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. See MPEP section 706.02(j).

The initial burden is on the Examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." See MPEP section 706.02(j). When the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the examiner to explain why the combination of the teachings is proper.

As described above, Song fails to teach or suggest the present invention as recited in independent claim 1, from which claims 8-10 and 12-15 depend. The Applicant respectfully asserts that Lipkin fails to teach what Song lacks. In particular, the portions of Lipkin cited by the Examiner (col. 49 – col. 52) appear to only teach using extensible markup language technology with no teachings directed to generating a software development tool using a definition file, a schema, and a resource file. In view of the above, Song and Lipkin, whether viewed separately or in combination, do not support the rejection with respect to independent claim 1. In addition, Song and Lipkin, whether viewed separately or in combination, do not

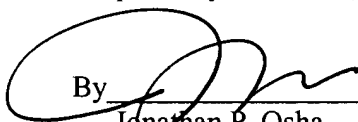
support the rejection with respect to the dependent claims 8-10 and 12-15. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159/039001; P7221).

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Respectfully submitted,

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